

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Criminal No. 4:02cr2

MONTY MARSHALL,

Defendant.

ORDER

This matter is before the Court on its own Motion to Reduce the Sentence of Monty Marshall (“Defendant”) pursuant to 18 U.S.C. § 3582(c). See ECF No. 165.

In order to determine whether Defendant is eligible for a discretionary reduction under the First Step Act of 2018, the Court entered an Order requiring the United States Probation Office to file documents reflecting Defendant’s revised Sentencing Guidelines calculation, if any, under the First Step Act. Id. The Court further ordered the United States Attorney’s Office to file any opposition to a potential reduction. Id.


Upon thorough analysis of the First Step Act Worksheet and Memorandum filed by the United States Probation Office, ECF Nos. 167, 171, in addition to the Government’s Response, ECF No. 168, the Court **FINDS** that Defendant is ineligible for a discretionary reduction under the First Step Act.

Accordingly, the Court **DENIES** its Motion to Reduce the Sentence of Monty Marshall.

Defendant is advised that he may appeal from this order by forwarding, within sixty (60) days from the date of this Order, a written notice of appeal to the Clerk of the United States District Court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510.

The Clerk is **DIRECTED** to deliver a copy of this Order to Defendant and to all Counsel of Record.

It is so **ORDERED**.



Robert G. Doumar
Senior United States District Judge

UNITED STATES DISTRICT JUDGE

Norfolk, Virginia
June 7, 2019